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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBERT HUGH COLE,
Plaintiff,

v.

NANCY ADAM, et al.,
Defendants.

Case No. 17-05691 BLF (PR)

**ORDER DENYING REQUEST FOR
COURT RULING ON PENDING
MOTIONS; GRANTING
EXTENSION OF TIME TO FILE
OPPOSITION**

(Docket No. 20)

Plaintiff, a California inmate, filed the instant *pro se* civil rights action pursuant to 42 U.S.C. § 1983 against medical officials at Pelican Bay State Prison (“PBSP”). The Court found cognizable Plaintiff’s Eighth Amendment claims based on his allegations of inadequate medical care. (Docket No. 9.) Defendants filed a motion for summary judgment on June 7, 2018. (Docket No. 19.) Plaintiff’s opposition was due twenty-eight days thereafter, i.e., no later than July 5, 2018.

On June 22, 2018, Plaintiff filed a “request for the court to rule on pending motions.” (Docket No. 20.) In this motion, Plaintiff refers to the following motions he claims he sent to the Court on May 30, 2018: (1) a “motion requesting to file an extended motion to compel, and declaration in support”; (2) a “motion requesting to extend

1 discovery cutoff and dispositive motion deadlines and declaration in support”; and (3) a
2 “motion to grant counsel.” (*Id.* at 2.) However, the docket in this case contains no record
3 of such filings, and there is otherwise no record of the Court ever receiving any such
4 motions from Plaintiff. Accordingly, the request for a ruling on pending motions is
5 DENIED. Plaintiff may refile these motions if he so wishes.

6 The Court *sua sponte* grants Plaintiff an extension of time to file an opposition to
7 Defendants’ motion for summary judgment such that Plaintiff’s opposition is due **no later**
8 **than August 2, 2018**. Defendants shall file a reply **within fourteen (14) days** after
9 Plaintiff’s opposition is filed. Defendants’ motion shall be deemed submitted on the date
10 the reply brief is due.

11 This order terminates Docket No. 20.

12 **IT IS SO ORDERED.**

13 Dated: 6/26/2018



BETH LABSON FREEMAN
United States District Judge

Name: _____
 (Last) *(First)* *(Middle)*

Prisoner Number: _____

Institutional Address: _____

<hr/>	}	Case No.
vs.		
<hr/>		
<hr/>	}	COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983
(Enter full name(s) of defendant(s))		

Note: *You must exhaust available administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.*

- COMPLAINT Page 1 of 4

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1. Informal appeal: _____

2. First formal level: _____

3. Second formal level: _____

4. Third formal level: _____

E. Is the last level to which you appealed the highest level of appeal available to you?

YES ☐ **NO** ☐

F. If you did not present your claim for review through the grievance procedure, explain why.

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1 **II. Parties.**

2 A. Write your name and present address. Do the same for additional
3 plaintiffs, if any.

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9 B. For each defendant, provide full name, official position and place of
10 employment.

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1 **III. Statement of Claim.**

2 State briefly the facts of your case. Be sure to describe how each
3 defendant is involved and to include dates, when possible. Do not give
4 any legal arguments or cite any cases or statutes. If you have more than
5 one claim, each claim should be set forth in a separate numbered
6 paragraph.

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16 **IV. Relief.**

17 Your complaint must include a request for specific relief. State
18 briefly exactly what you want the court to do for you. Do not make legal
19 arguments and do not cite any cases or statutes.

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26 **I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.**

27 Signed this ____ day of _____, 20__

28 _____
(Plaintiff's signature)